

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 1036 OF 1993

The Mahanagar Telephone Nigam Ltd. .. Plaintiffs

V/s

Moinuddin Mohamed Yusuf Zaveri .. Defendants

Ms.Jyoti Thakkar for the Plaintiffs.

CORAM : S.J. VAZIFDAR, J.

DATE : 25TH JULY 2008

P.C. :

1. This suit is disposed of in terms of the order dated 3rd July 2008 in Suit No.3426 of 1999. Accordingly, I pass the following order.

2, I dispose of the suit in terms of the order passed in Suit No.3063 of 1996 by directing the Plaintiffs to move the Central Government for appointment of an Arbitrator. Having regard to the provisions of section 7-B, the claim in the suit shall be referred to arbitration upon the appointment of an Arbitrator by the Central Government. A notification shall be issued by the Central Government to appoint the

Arbitrator within eight weeks. The Arbitrator shall conclude the proceedings expeditiously and, in any event, not later than six months from the date on which he enters up on the arbitration. All questions that are raised in this suit shall be decided in the course of arbitration proceedings. All questions raised in this suit are kept open for being agitated before the Arbitrator. The suit is accordingly disposed of. Needless to mention that the Plaintiffs shall be entitled to refund of court fees as permissible under the rules.